

Remarks

By this amendment, the specification, drawings and claims 1-3, 7-11, 14, 15 and 18 are amended, claims 4, 5 and 20-31 are cancelled, and new claims 32-51 are added. After entry of this amendment, claims 1-3, 6-19 and 32-51 will be pending. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Applicants appreciate the indication that claims 4-19 and 23-28 are directed to allowable subject matter. Claim 1 has been amended to include the subject matter of allowable claims 4 and 5, and thus claim 1 and its dependent claims should be allowable.

New independent claim 36 includes the subject matter of claim 1 and allowable claim 7. Thus, claim 36 and its dependent claims should be allowable.

Claims 4, 5 and 20-31 have been cancelled without prejudice or disclaimer to expedite prosecution and/or for economic reasons. Applicants reserve all right to pursue these or similar claims in a continuation application.

In view of the amendments to the claims, the § 102(b) rejections of (1) claims 1-3, 20-22 and 29-31 over U.S. Patent No. 2,552,543 to Earle and (2) claims 1-3, 20-22 and 29-31 over U.S. Patent No. 5,143,347 to Lee are moot and should be withdrawn.

Applicants have filed an Information Disclosure Statement concurrently herewith that identifies the same references in the Information Disclosure Statement filed December 11, 2003. English-language abstracts of the foreign language references are submitted concurrently herewith. Since the references were previously identified, there should be no charge for providing the abstracts, and Applicants therefore request a refund of the \$180.00 Information Disclosure Statement fee.

Applicants appreciate the Examiner's careful review of the application. The specification is amended such that the abstract complies with all requirements. Fig. 1 is amended to switch the reference numerals for the axes 1A and 3A. Specification references to these axes have been revised as necessary. In Fig. 3, the leader line for the reference numeral 15 is revised.

A new reference numeral 30 has been added to the specification and drawings to designate the portion of the motor. Applicants respectfully submit that the term "motor sleeve" as used in the specification is acceptable as it relates to a sleeve associated with a motor for the handpiece. The specification is revised to provide literal antecedent basis for "projecting element" and "bearing member," although such amendments would not appear to be required.

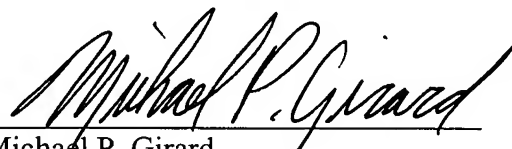
Dependent claims 7 and 8 and allowable claim 14 have been amended to recite that when the ring member is in the "unlock position," it is out of urging engagement with the bearing member. This amendment to the claims emphasizes that there may be contact between the ring member and the bearing member in the unlock position, but that the ring member does not urge the bearing member in the unlock position.

The claims have been revised to refer to a "locking element" instead of a "locking plate" because to the extent that "plate" defines a specific geometry, such geometry is not required for the locking function or the patentability of the claims. The claims have been revised to correct minor antecedent basis errors and to address the objections in the Office action. No new matter is required.

Based on the foregoing, Applicants submit that the pending claims are directed to allowable subject matter and that the application is in condition for allowance. Should the Examiner believe that anything further is required to place the application in better condition for allowance, the Examiner is requested to contact Applicants representative by telephone.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
Michael P. Girard
Registration No. 38,467

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 228-9446

Amendments to the Drawings

The attached sheets of drawings include changes to Figs. 1, 3 and 4. These sheets replace the original sheets of drawings.

Attachment: Replacement sheets